

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE CITY DIVISION
1:07cv330**

TAMMY A. McMAHAN,

Plaintiff,

v.

**MICHAEL J. ASTRUE,
Commissioner of Social Security,**

Defendant.

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ORDER

Pending before the Court is Defendant's Motion to Vacate [# 22]. Previously, the Court remanded this case to Social Security Administration for further proceedings. The Administrative Law Judge having now rendered a final decision in the case, Defendant moves to vacate the Court's Order granting remand, allow Plaintiff to file an Amended Complaint, and reopen this case. Plaintiff consents to the motion.

The Court Grants the Motion to Vacate [# 22]. The Court **VACATES** its April 1, 2008, Order [# 20] and **REINSTATES** this case. Plaintiff shall file and Amended Complaint within thirty (30) days of entry of this Order. Defendant shall have sixty (60) days from the filing of the Amended Complaint to file its answer and an administrative transcript.

Signed: July 20, 2011

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

